Court No. 2

Writ Petition No. 725 (M/B) of 2002

B.D. Murari ……. Petitioner.

Versus

State of Uttaranchal and others ……. Respondents.

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Hon'ble P.C. Verma, J.
Hon'ble Irshad Hussain, J.

This petition has been filed by the petitioner seeking writ of mandamus to command to respondents to allow him to continue on the post of D.G.C. (Civil) beyond the age of 62 years. The petitioner has completed the age of 62 years.

According to learned counsel for the petitioner the age has been increased up to 65 years. Therefore, he is entitled to be allowed to continue upto the age of 65 years. The Government order by which the age has been extended puts certain conditions on the point of term of extension of the D.G.Cs. to continue on the post. If the petitioner fulfils those conditions, it is for the Government to allow the petitioner upto the age of 65 years. Therefore, no interference is called for in the impugned order by this Court under Article 226 of the constitution. However, it is made clear that if the Government finds fit to allow the petitioner to continue upto the age of 65 years, the Government may take decision on this point within a period of 15 days from the date of production of certified copy of this order.

With the aforesaid observations, the petition is disposed of finally.

(P.C. Verma, J.) **(Irshad Hussain, J.)**

30.10.2002
P.Singh